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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 24 November 1995 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to transmit, enclosed herewith*, the Report of the Governmental Committee for the Collection of Data on Crimes Committed against Humanity and International Law, entitled "Information on the war crimes committed by members of the Croatian Army against the Serbian civilian population of Western Slavonia on the Okucani-Stara Gradiska Road on 1 and 2 May 1995, and to ask you kindly to submit it to the members of the Commission.

The report contains statements by witnesses which testify to the fact that the Croatian Army committed a great deal of crimes against the Serb civilian population, in particular those in vulnerable groups - children, women and the elderly.

(Signed): Dr. Vladimir Pavicevic
Ambassador

* The annex is being reproduced as received, in the language of submission only.

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ANNEX

INFORMATION

ON THE WAR CRIMES COMMITTED BY MEMBERS OF THE CROATIAN ARMY AGAINST THE SERBIAN CIVILIAN POPULATION OF WESTERN SLAVONIA ON THE OKUCANI - STARA GRADISKA ROAD ON 1 AND 2 MAY 1995

On 1 and 2 May 1995, members of the Croatian army attacked fiercely the Okucani-Stara Gradiska road, near the village of Novi Varos, in order to intercept the refugee column of the Serbian civilian population of Western Slavonia fleeing the attack of the Croatian army from the direction of Okucani towards Stara Gradiska and the Sava River and intending to enter the territory of the Republic of Srpska across the bridge near Gradiska.

During the attack, members of the Croatian army killed mercilessly the people in the column, mainly women, children and the old, who were fleeing their homes by cars, tractors, carts, bicycles and on foot.

Hundreds of bodies of the killed people remained on the road, whose number is being identified, as well as remnants of vehicles. The Croatian authorities removed for days these traces by burning bodies whose stench was felt also on the other bank of the Sava River in the territory of the Republic of Srpska or by taking them away together with the remnants of vehicles. After that, they washed the road and then allowed representatives of international organizations and UNPROFOR to have access to the area.

Numerous witnesses, interrogated by investigating judges in the Federal Republic of Yugoslavia and the Republic of Srpska where these persons have found shelter as refugees, speak about the ordeal of the Serbian civilians in this column.

Below are excerpts from statements made by some witnesses.

Witness 628/95-11* says:

"...In Okucani, I took my tractor and trailer, picked up the most necessary things and with my neighbour joined the convoy of refugees moving from Okucani to Bosanska Gradiska.

The convoy set out about 5 a.m.

In front of the village of Novi Varos, members of the Croatian army opened fierce fire from infantry and heavy weapons on the convoy of civilians from the direction of the Prasnjak forest, 50 m away from the road. Many civilians were killed. Vehicles were burning. It took 8 hours to pass that 4 m-long part of the road to the Strug canal.

The convoy had to stop frequently and when the attackers were pushed back it would continue its trip. I saw a great number of dead civilians on the road and the vehicles moving on along the road had to run over them.

I think that 400 to 450 killed civilians remained on the road.

Among the killed, I recognized only:

1. Zoran Vukadinovic and
2. Milan Cicvara

When we crossed the Strug canal, we were incessantly shelled by the Croatian army on our way to the Sava River...".

Witness 628/95-1 says:

"... When on 1 May 1995, about 8 p.m., members of the Croatian army intercepted the Okucani-Nova Gradiska road near the village of Novi Varos, along which Serbian refugees were moving from the direction of Okucani, I saw, at the place called Pustara, a yellow "Mercedes" with the Okucani registration plates approaching from the direction of Okucani towards Novi Varos. There were five passengers in it.

I saw two Croatian soldiers stop the car. I clearly heard their conversation and one of them called: "Come here, you have five Serbs here, slaughter them." He probably called one of his fellow soldiers standing by the road. Five Croatian soldiers ran to the road and standing near the car began to shoot at its passengers from automatic rifles until they emptied the magazines.

Having killed all passengers in the car, they pushed the car from the road to a ditch on the right side. The killed passengers remained in the car...."

Witness 654/95-5 says:

"... The aggression of the Croatian armed forces against Western Slavonia began on 1 May 1995. On that day, the evacuation of the civilian population from Okucani for Gradiska was organized. I was also active in the evacuation. I transported women and children by bus in four rounds during that day together with bus drivers L.N., R.M. and M.C.

I set out for the last round about 9.30 p.m.

Although the Okucani-Gradiska road was incessantly shelled and bombed by the Croatian armed forces during the previous rounds, we managed to break through without any consequences.

The column of cars, tractors and trucks was moving from the direction of Okucani towards Gradiska.

About 9.30 p.m., I set out with women and children in the bus. I was followed by the bus driven by M.C. Our buses were shelled again. However, for the first time that day, the bus was fired at from infantry weapons from the direction of houses and yards by the road and nearby Prasnik forest on the part of the 500 m-long road from the centre of the village of Novi Varos to the Strug bridge. Therefore, I accelerated and managed to cross the Strug canal unhit.

On the road through the said part of the village of Novi Varos, I saw a "Zastava 101" car hit which then turned to the right and bumped into a gate and a "Zastava 750" car which was also hit from infantry weapons. It turned to the right and bumped into a house by the road. I could not see what happened to their passengers, for it was night and I did not dare slow down. In front of me, I saw a tractor driven by an old man with a trailer with several civilians in it. I saw when the old man was hit from a rifle from the direction of a yard on the left side of the road. When the old man fell to the right side of the wheel, the tractor turned to the right, bumped into a pole and turned over. As far as I could see, the civilians remained on the road, but I could not see what happened to them after that..."

Witness 654/95-2 says:

"... On 2 May in the morning, about 5.15 a.m., I set out in my truck from Okucani towards the Sava River. I drove through the village of Novi Varos, although shots could be heard from that direction during the whole night and that morning. On both sides at the entrance of the village of Novi Varos, I heard characteristic shots of the Singapore rifles. I heard shots over the truck. At the entrance of the village, I saw a tractor with things scattered around it (bed linen, dishes, etc.). A motionless man was lying over the wheel. Farther in the village, I saw many tractors and passenger cars and dead people lying beside them.

Since the fire from the direction of houses on the left side of the road leading to the Sava River was becoming ever fiercer I accelerated. In order not to run over dead bodies, I had to drive on the pavement and sidewalk and thus avoided to be stopped and somehow managed to leave the village of Novi Varos unhit.

In view of the situation I was in, I could not say how many Serbs were killed on the road through Novi Varos. Among the killed, I saw

1. Ignjatije Odlovic from Benkovci
2. a man called "Suber" from Okucani and
3. "Migel", salesman from Bodegraj

On my way from Okucani to Gradiska, I passed by UNPROFOR checkpoints - at the place called Pustara, at the exits from the village of Novi Varos and Nova Varos towards Gradiska - I saw no "blue helmet" there. The checkpoints were deserted..."

Witness 654/95-4, who was near Benkovci on 1 May, also says:

"... About noon, I saw a plane, probably a "MIG". It was flying from south towards Pakrac and when it was between Radjenovci and Bijela Stena, at the place called Tromedja, I saw it throw bombs which immediately exploded and heard a strong detonation. Later on, I heard that the convoy of 400 civilians was at the place called Tromedja near Bijela Stena which was bombed from that plane and that a great number of them were killed.

About 9 p.m., I set out from Okucani towards the Sava River. I was riding a bicycle. All the time, shells were falling in the vicinity of the road along which the convoy was moving. Most vehicles moved with their lights on.

At the entrance of the village of Novi Varos, I saw a "Ferguson" tractor crashed against a pole by the road and an old man and a woman dead beside it. In its vicinity, I saw a "Ursuz" tractor which was turned over and a man and woman lying dead beside it; then a dark blue "Jugo 45" car with three persons killed in it; then a white "Mercedes 300" which crashed against a pole by the road with two dead men in it. Not far away from it, there was an empty "Regata" car. These cars and bodies were on the 50 m-long part of the road and farther on, at about 100 m, I saw other vehicles, also stopped and turned over. A great number of dead civilians was beside them. I had to ride my bicycle between their bodies wishing to leave that place as soon as possible.

As far as I remember, I saw at least 25 killed civilians. I could see all this because most of the vehicles were not moving.

When I arrived in Gradiska, I saw my "Lada karavan" car in a street with its lights on and door open. I was surprised because I knew that I left my car in Benkovci. Soon, I found out that R.M. and K.M., who were wounded in Benkovci,

drove the car, i.e. that the lightly wounded person drove my car to Gradiska with wounded children. They went to the hospital..."

Witness 654/95-6 says:

"... On 2 May in the morning, I saw that many Serbs set out in a convoy from Okucani towards Gradiska on the Sava River wherefrom news came that Croats attacked convoys in the village of Novi Varos. I heard that many people had been killed on the previous night when the convoy had been attacked.

On 2 May around 5.30 p.m., I set out for Gradiska.

At the entrance of Novi Varos, I saw many demolished cars, tractors and trucks. Many killed civilians were on the road. At the same time, our column was attacked by Croats who were on the left side of the road, in the Prasnik forest, in the direction in which we moved. Because of that, we moved slowly and the column had to stop frequently and move on under the shower of bullets. We travelled through Novi Varos until the next day, 3 May, and arrived in Gradiska on the Sava River at about 7 p.m. All the time, we had to stop frequently and stay at some places for couple of hours.

I could not say how many civilians were killed at Novi Varos. Among the killed, I saw small children several months old lying dead beside their killed mothers. I counted three small children killed beside their mothers and, certainly, there were more of them, but I could not watch that scene and tried not to pay great attention.

Although I could not have a closer look of victims, I still recognized the following persons from the village of Rajic:

6. Branka Bosanac
7. Sima Kosovac
8. Ilija Djurasinovic
9. Stevo Pravica
10. Milan Bajic and
11. Milan Milasinovic

and from Bjelovar:

12. Vukasin Tesanovic from Banjaluka and
13. a refugee I knew by his nickname "Rumeni"

N.S. told me that he saw how Croats, on 3 May, cleaned the road through Novi Varos, removed the demolished vehicles and burned bodies, after which they washed it..."

Witness 628/95-2 says:

"... On 1 May 1995, about 6 p.m., I decided to try to reach Gradiska by tractor. In Okucani, I picked up the most necessary things and set out with my mother, uncle, aunt and a neighbour. When we reached the toll-gate on the highway, I saw a woman hit by a shell lying on the road. On the Dubovacki overpass, there was a tractor beside a pole and a dead man and a wounded woman were beside it. Near the UNPROFOR checkpoint, where the Nepalese battalion used to be deployed, I saw two damaged cars and 2 or 3 killed civilians beside them.

I continued to drive while shells fell on the road and around it. In the meantime, a column of tractors, trucks and other vehicles moving in the same

direction in which I was moving was made. I saw that some of them were hit by shells and that some people were killed.

At the entrance of the village of Novi Varos, Croats intensified their shelling from the direction of the Prasnik forest. While moving on, I saw many damaged cars and other vehicles, as well as bodies on the road.

Near the "Slozna Braca" inn, I saw several wounded persons, including Ignjatije Lukic. The picture was the same to the exit from the village of Novi Varos, to the destroyed bridge on the Strug canal.

I was not in the situation to estimate the number of victims I saw by the road. On the next day, when we crossed the Sava River, Croats killed at the entrance of Novi Varos

14. Milka Kesic

who, having decided to return to Okucani, drove a car from Gradiska. On that occasion, T.S. was seriously wounded..."

Witness 628/95-3 says:

"... On 2 May, about 4 a.m., we set out for Gradiska by the road going through the village of Novi Varos. Civilians were travelling by tractors, trucks, cars and other vehicles, and I walked with other defenders. When I arrived in Novi Varos, I saw killed civilians, damaged tractors and cars on the road as the result of the attack of Croats on the convoy of civilians who tried to make breakthrough on 1 and 2 May. I was moving in the column of civilians which was also exposed to infantry and artillery weapon fire of Croatian armed forces from the direction of the nearby Prasnik forest and houses by the road.

I did not recognize any one among the killed persons, but I saw five bodies of the people who were unknown to me. As far as could see, the greatest number of killed civilians were in the place called Pustara and near the Strug bridge ..."

Witness 628/95-1 says:

"...We passed the village of Novi Varos and a column of civilians followed us. During the breakthrough in the village of Novi Varos, I saw a large number of killed civilians who had tried to force their way through on 1 May after 8.00 p.m. There were children among the killed.

A great number of trucks and tractors were also on the road with many bodies of killed civilians. I saw a child's arm on one of the wheels of a truck which was on fire.

After the breakthrough, we approached the Strug canal. We were followed by a column of civilians who had also been attacked by the Croatian armed forces. A great number of victims were also in this column..."

Witness 628/95-10 says the following about the Novi Varos breakthrough:

"...During our breakthrough in Novi Varos in the early morning on 2 May, we were exposed to the fierce fire attack of Croatian armed forces. I saw cars, trucks and tractors which were turned over. As far as I can remember, about 9.00 a.m. I came to the last houses in the village of Novi Varos, in the direction of Gradiska on the Sava River. Because of the enemy's fire, we were forced to stop and look for a more secure shelter. I saw several civilians shot dead including

15. one person from Rajic

whose name is unknown to me. Not far from this place, I saw Rade Petkovic who was running to the Sava River and I have not seen him since then and I do not know whether he is alive. Then I was captured and I went on foot to Okucani. I saw many cars turned over on the road and near them many traces of blood, women's hair, but I did not see any dead body on the road. In the ditch by the road, I saw only the body of the killed

16. Milan Cicvara from Smrtic

whom I had known before. On the way I met Croatian soldiers..."

In his statement, witness 618/95-4 says following:

"... I sat on a tractor which drove my nephew, together with his wife, my mother and wife and two small children. At Novi Varos, Croats opened cross fire from infantry weapons at us from a nearby woods. As far as I can remember, it was after 5.00 p.m. I saw many people hit by bullets falling from tractor trailers on the asphalt road, while younger people were jumping over, hiding near the road and running in the direction of the Sava River. In that general confusion, I saw when Jela Vukovic, from Gredjani, born in 1913, fell from one tractor. She was wounded and screamed for help: 'Please, don't leave me.'

Driving the tractor at full speed, we went through the village and managed to remain unhurt. As far as I could notice during the drive, in the general confusion and disturbance, I saw at least 15 killed civilians on the asphalt road and a great number of the wounded tottering at both sides of the road calling for help..."

Witness 618/95-5 testifies before the investigating judge:

"...As soon as we entered the village of Novi Varos, I saw a great number of bodies of dead civilians who had been killed the night before during their attempt to make a breakthrough to Bosanska Gradiska. The bodies lay on the asphalt road and beside the road all along the village of Novi Varos until the Strug canal. According to my assessment, on this part of the road there were approximately over one hundred bodies of women, the elderly, and I think that there were children too. While we were driving along this part of the road, we were exposed to occasional shelling of the Croats. At the moment when a long column of civilians arrived, the Croats opened fierce fire from infantry and other weapons from deserted houses in the village and the nearby woods. I could not see what happened behind in the column, but I heard later that many people were killed on that occasion...

Later on, I found out that the following people were killed in the column of civilians:

17. Nikola Stanic

18. Zeljko Lauros from Okucani

and that B.R. and M.Lj. were wounded..."

Witness 715/95-4 says:

"... I was in Okucani on 1 May 1995 when the Croatian army attacked Western Slavonia. About 7.00 p.m. I drove my daughter and her children to Gradiska by my car. On my way back to Okucani, I met a long column of Serbian population leaving the area of Okucani.

About 9.00 p.m. I arrived in Okucani and since the shooting could be heard in the immediate vicinity I set out again with my relatives by my car to Gradiska. Tractors with trailers, carts and cars were moving in the same column which was

very long. Mostly old men, women and children were in this column. The heaviest fire was opened near the village of Novi Varos until the Strug canal. Croatian soldiers were mercilessly shooting at the column. People who were on tractors and trailers were falling down on the road and their bodies remained by the road or on the trucks and carts. An extremely great number of killed women, children and old men were lying on the road. Those who remained alive continued to drive towards the Sava River. Tractors and vehicles were left on the road and some of them were burning.

I really cannot tell how many Serbs were killed and whose bodies were left lying, but I know that there were many of them. The fire opened by Croatian soldiers was lethal for they fired at short range.

After some time, I saw on the Croatian TV that this part of the road between Okucani and Gradiska was completely clean. When I had driven along this road a few days before that, it had been completely jammed by vehicles and bodies of the killed Serbs. The vehicles which had been left had been drilled all over with bullets. Everything was removed and cleaned out in the meantime.

The column was also bombed by Croatian aircraft which dropped bombs and exposed to the machinegun fire.

In this column, two children of my neighbour Gordana Kojic lost their lives:

19. Nemanja Kojic, 9 years old and

20. Dajana Kojic, 7 years old

Their mother Gordana was seriously wounded and she is hospitalized..."

Witness 715/95-2 says:

"... I lived in Okucani until 1 May 1995 when, after the aggression of the Croatian army, I left Okucani heading to the Sava River with my one and a half year old daughter.

When we came to the village of Novi Varos, half way between Okucani and Bosanska Gradiska, members of the Croatian army attacked us by shells and infantry weapons.

I noticed there a vehicle on fire covered with blood which had been hit earlier by a shell.

When I entered the territory of the Republic of Srpska, I stayed in the village of Orahovo, near Gradiska, until 4 August 1995. During the attack of the Croatian army on Orahovo I was wounded twice..."

Witness 715/95-3 underlines in his statement the following:

"...In the early morning hours on 2 May 1995 I was on the tractor in the column which was attacked by members of the Croatian army when it arrived in the village of Novi Varos.

That part of the road which was about 3 km long was covered by so many bodies of the killed Serbs that one could traverse it without setting foot on the ground.

Tractors were turned over on the road which Croatian soldiers set on fire. Croatian soldiers killed old men, women and children leaving their bodies on or beside the road. I saw that Croatian soldiers killed:

21. Milan Gajic from the village of Medara

while his father was wounded in the back.

I saw that M.D. was wounded and that his son N.A. was wounded in seven places.

The trailer which I drove was loaded with the wounded.

I know that great number of bodies of the killed Serbs were left lying on the road, that the Croatian army piled them up, poured petrol over them and set them on fire.

When my wife heard that our son had been allegedly killed, she had a stroke and died a few days later in the Republic of Srpska..."

Witness 715/95-36 testifies:

"...While I was driving towards the bridge on the Sava River and Gradiska, somewhere in the middle of the road, I noticed many tractors, carts, passengers cars and freight and other vehicles.

A large number of the bodies of women, children and men were lying on the road on which I was driving, as well as by the road and in the ditches.

As I was driving further the number of demolished vehicles and those which were turned over increased as well as the number of dead bodies. The greatest number of the killed people were in the area of the village of Novi Varos and near the "Seik" inn.

When I came to the Strug canal, the bridge was destroyed and the column moved very slowly there since we had to cross the canal near the destroyed bridge.

After the column crossed the Strug canal, an aircraft flew over it and threw several bombs and opened machinegun fire at it.

I am positive that 1000 - 1500 bodies of the killed Serbs were lying on the road from Okucani to the bridge on the Sava River towards Gradiska ..."

Witness 715/95-33 testifies:

"...The Croatian army was incessantly attacking the column of Serbs, who were fleeing towards Gradiska, from the Prasnik forest. Croatian aircraft were also flying over the column and bombed it. A great number of Serbs who were in the column lost their lives during the bombing.

The column was moving on while the dead bodies remained lying on and beside the road. The road from Okucani, where the column was made, to the bridge on the Sava River in the direction of Gradiska is 14 km long.

I think that between 400-500 Serbs were killed then.

Among the killed there was a large number of women, children, the old and exhausted. There were many wounded people who could not continue to move further and they remained lying on and beside the road.

At the checkpoint on the Sava River bridge, UNPROFOR soldiers were laughing at these people. It seemed that they enjoyed watching the ordeal of the Serbian people.

During the movement of the column towards the Sava bridge I saw the following people killed:

22. Branko Vujic from the village of Bodegraj, Municipality of N o v a Gradiska

23. Dusan Ljiljak from Ladjevac, Municipality of Nova Gradiska and many other people whose names I do not know..."

Witness 715/95-8 says:

"... On 1 May 1995 about 4.00 p.m. I drove my car from Okucani to Gradiska. I reached the column of tractors, carts and freight vehicles moving towards the Sava River. Near the village of Novi Varos, the Croatian army opened fire on the column from the Prasnik forest. But since the fire was not very heavy we continued to move.

When we came near the Sava River, Croatian aircraft suddenly appeared and bombed the column and the explosions could be heard. Then vehicles in the column started to burn and many refugees lost their lives. The refugees who arrived later said that members of the Croatian army had run over the Serbs who were fleeing towards the Sava River by tanks and that they had poured petrol over their dead bodies and set them on fire and then washed the road from Novi Varos to the Sava bridge..."

Witness 715/95-34 says:

"... On 1 May 1995 about 5.00 p.m. I left Okucani by bus to Gradiska.

We were in the column of the vehicles moving towards the Sava River. The Croatian army opened heavy fire from the Prasnik forest and Nova Gradiska at the column and a great number of the Serbs in the column were killed and their bodies left lying beside the road all along the bridge on the Sava River.

I know that the following person was killed:

24. the wife of Dusan Bosnjak from Trnava

whom the Croatian soldiers killed near the Sava bridge..."

Witness 439/95-21, a priest of the Serbian Orthodox Church, who was in his house in Okucani on 1 May 1995, says the following:

"... On 1 May 1995 I drove my wife, children and two other women from Okucani to Banja Luka by my car.

The following day on 2 May 1995 about 7.30 a.m., I drove back to Okucani. In Gradiska I gave a lift to

25. Milka Kesic from Okucani

who sat on the seat on my right side. I drove over the bridge on the Sava River and the Strug canal. While entering the village of Novi Varos, a machine gun burst was fired at my car from the houses on the right side of the road.

Milka Kesic was immediately shot dead and fell on my side. I was hit in nine places but I continued to drive the car until it stopped. Under the incessant fire, I managed to get out of the car and ran about 200 m towards the centre of the village and fell down there.

In front of me, I saw a horrible scene. Many cars were turned over and a great number of civilians were lying beside them dead on the road. Some were moving shocked among the cars under the fire from the infantry weapons. Many cars were burning. In the houses on both sides of the road there were women, children and old people who managed to find shelter there.

From one house, ten metres away from me, a civilian, who was hiding there, ran out to help me. I was taken to a nearby house where I was provided assistance. I do not know how long I was lying there. Some civilians managed to take me to a car which took me to the hospital in Banjaluka.

I cannot tell how many people were killed in the village of Novi Varos. I can only tell that there were a great number of women, children and old people. I do

not know what happened to the victims left in the village of Novi Varos. Those who arrived after me said that Croats had burnt their bodies.

Among the wounded I saw V.P., M.M. and many others whose names I cannot remember at the moment but who I knew well by sight.

Among the killed people, I saw the following persons whom I knew:

26. Momcilo Dojic
27. the wife of Momcilo Dojic
28. Ostoja Dejanovic and
29. a Vukasin ..."

Witness 439/75-14 testifies:

"... In the morning on 2 May 1995 we arrived near the village of Benkovci and saw a group of four Croatian soldiers who blocked the road. We hid in the bushes and looked at that direction. I saw a cart drawn by white horses with a man and a woman in civilian clothes.

Other civilians went after them. The Croatian soldiers stopped them and I heard their voices: "Slaughter them, what are you waiting for?" A few minutes later, those Croatian soldiers turned the cart and whipped the horses towards Okucani. I saw the man and the woman in lying position on the cart and I presume that the Croatian soldiers slaughtered them since I heard no shooting in the vicinity.

We continued to move towards the Sava River. When we came near the village of Ladjevac, I saw some soldiers in camouflage uniforms getting out of a helicopter near railroad tracks and I heard them speaking some foreign language which I could not understand. I heard another helicopter coming and we continued to move towards the village of Rajic.

While we were trying to break out of the encirclement of the Croatian army towards Gradiska, I saw Croats burn the houses in the villages of Rajic, Radjanovci, Vrbovljani, Covac and Gredjani. When we passed these villages the houses were still on fire..."

The witnesses mentioned the following units of the Croatian army as being responsible for the killings of civilians and for other crimes committed during the aggression of the forces of the Croatian army:

1. Members of the helicopter landing unit of the Croatian army;
2. Part of the "Gromovi" second guard brigade of the Croatian army;
3. Part of the "Kune" guard brigade of the Croatian army;
4. Part of the "Orlovi" fifth brigade of the Croatian army;
5. Parts of the 125th guard regiment (Kutina) and others.

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* For the purpose of the protection of witnesses, the statements contained in the documents of the Committee for the Collection of Information on the Crimes Committed against Humanity and International Law are herein given in codes.

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Letter dated 24 November 1995 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to transmit, enclosed herewith*, the Report of the Governmental Committee for the Collection of Data on Crimes Committed against Humanity and International Law, entitled "Information on the war crimes committed by members of the Croatian Army against the Serbian civilian population on the Srbobran-Jajce Road on 13 September 1995, and to kindly ask you to submit it to the members of the Commission.

The Report contains statements by witnesses which testify to the fact that the Croatian Army committed a great deal of crimes against the Serb civilian population, in particular those in vulnerable groups - children, women and the elderly.

(Signed) Dr. Vladimir Pavicevic
Ambassador

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ANNEX

INFORMATION
ON THE WAR CRIMES COMMITTED BY MEMBERS OF THE CROATIAN ARMY AGAINST THE SERBIAN CIVILIAN POPULATION ON THE SRBOBRAN-JAJCE ROAD ON 13 SEPTEMBER 1995

After the attack of the Croatian army on Srbobran (Donji Vakuf) on 13 September 1995, the Serbian civilian population, mostly women, children and the old, began to flee Srbobran and the surrounding villages towards Jajce and Banjaluka by carts, tractors, buses, trucks and on foot. A great number of them also took their cattle with them.

Their column moving from Srbobran towards Jajce was attacked on 13 September 1995 near the village of Bravnice, about 3 km from Jajce, by the members of the 2nd guard brigade of the Croatian army who ambushed them and began to kill mercilessly unarmed and totally surprised civilians in the refugee column. The population offered no resistance.

Some of them were instantly killed and some wounded during the attack. According to witnesses' statements, the members of the Croatian army opened fire and killed and wounded more than half passengers in one bus only (50 seats plus 30 persons who were standing) and then fired a "Zolja" missile at it and finally burned it with the wounded and dead in it.

Witnesses who were in the column speak about what happened and about the ordeal of the Serbian population in the column, while some of them lost their closest family members or were seriously wounded. They were interrogated by investigating judges and their statements contained in the documents of the Committee for the Collection of Information on the Crimes Committed against Humanity and International Law are given here in codes for the purpose of their protection.

According to their statements, the members of the Croatian army immediately took steps to erase the evidence by removing the bodies of the killed, so that the precise number of the killed and wounded can not be subsequently established; however, the conclusion can be drawn that the number of victims was high.

Thus, for example, witness 715/95-12, 58 years old, who was in the refugee column, says:

"... I was in a bus full of passengers, so that not only all seats were occupied, but many people, including women and children, had to stand.

When the bus, which was in the refugee column of tractors and carts, reached the village of Bravnice, 3 km from Jajce, we were ambushed by the members of the Croatian army who shot at the bus and killed most of its passengers. Then they burned the bus together with the killed and wounded in it.

The members of the Croatian army mercilessly killed the Serbs in the column, mostly women, children and the old, as well as those who travelled on

foot with cattle. I saw Croatian soldiers shoot at the column both in front of and behind the bus I was in. They shot at everything that was moving.

I somehow managed to jump from the bus through the window and escape.

Then, Croatian soldiers captured and detained me in a nearby house in which there were 33 of us, mostly women and children, including 18 wounded.

They took the wounded by truck to an unknown direction and I do not know what happened to them.

I know that many Serbs in the column were killed between Srbobran and Jajce and that the Srbobran-Jajce road was jammed with the refugee column.

I saw that the two children of Novo Jankovic were killed. One child fell instantly and his intestines fell out and the other died in the embrace of his grandfather. Croatian soldiers took their bodies to an unknown direction saying that they had to bury them ..."

Witness 715/95-13, 61 years old, says:

"... I lived in my village until 13 September 1995 when we left Srbobran for Jajce, when I and 9 members of my family - wife, two daughters-in-law and five children, aged between 7 and 16 - had to flee. We picked up only the most necessary things. In Srbobran, we boarded a bus full of people fleeing towards Jajce and Banjaluka. All seats were occupied and no one could make a single movement.

A large trailer full of people was moving in front of the bus. There were about 100 people in it.

When we set out from Srbobran to Jajce, the bus was overtaking a very long column of tractors, carts and those who walked with their cattle, as well as many freight vehicles full of people fleeing towards Jajce.

When we approached Bravnice, at one moment fierce fire was opened at the bus and the column behind and in front of it. Many passengers in the bus were killed. I somehow managed to get out of it. We pulled out the wounded and killed. I pulled out my wife who was wounded in the head and

3. my grandchild Borisav

who was wounded and died one hour later. My granddaughter Dijana was also wounded. I pulled out my daughter-in-law Andja who was also wounded and left without left arm. I also pulled out from the bus the son of my older daughter-in-law Mira who was wounded in the right arm.

The fire hit

4. my daughter-in-law Mira and

5. her daughter Danijela

They remained dead in the bus at which a "Zolja" missile was fired and the bus was set ablaze. The bodies of my daughter-in-law Mira and her daughter Danijela burned together with the bus. I do not know how many people remained in the bus, for the people from various villages whom I did not know were in it. All those who remained in the bus were burned.

There were lot of women, children and the old and ailing.

The Croatian soldiers, who had previously shot and fired a "Zolja" at the bus, ordered us, who got out of the bus, to follow them and took us to a house.

I and a group of Serbian civilians, women and children, were detained in a house in the village of Bravnice for 5 days. Then, we were taken to Livno where

we were detained in a sports hall. We remained there for 5 days and we were exchanged near Bosanska Gradiska.

My wife, who was wounded, was also exchanged with me.

The wife of my brother Ranko and her three children were also in the bus:

6. son Velibor, about 14
7. daughter Daliborka, 23, who was with her son
8. son Dragan, 6

All three children were killed. Only the wife of my brother Ranko and her daughter Suzana were saved. They are now hospitalized.

I do not know the names of the other killed for they were from other villages.

The members of the Croatian army opened fire not only at the bus I was in, but at the whole column moving in front of and behind the bus. When I got out of the bus I saw many killed lying on the road. The Croatian army killed not only fleeing Serbs but also their cattle and horses which pulled carts. I do not know how many people in the column were killed, but I saw many victims in and beside vehicles..."

Witness 715/95-14 says:

"...I lived in Srbobran until 13 September 1995 when members of the Muslim army attacked Srbobran. The population left their houses and apartments and fled towards Jajce and Banjaluka. The column of Serbs fleeing towards Jajce was very long and was composed mainly of tractors, carts and buses. Many people walked with their cattle.

I managed to board a bus. My son, born in Bugojno in 1968, an invalid, boarded the bus with me. Half of his right foot was cut.

When we reached the village of Bravnice, fierce fire was opened from all sides.

Many passengers in the bus were shot dead and a number of us managed to get out of it. I got out of the bus and pulled out my son. An explosion was heard. The bus was hit and was in a blaze.

Many bodies of the killed and wounded remained in the bus and burned with it. I do not know how many of them. The bus was burned down.

When I got out of the bus, I saw many dead in the column moving in front of and behind the bus.

Among the people killed in the bus, I only knew the driver

9. Zdravko Bandulaja, who lived in Srbobran

The Croatian soldiers immediately arrived and ordered us to carry the wounded and took us to a nearby house. First, they separated the wounded and took them allegedly for treatment to a hospital.

My son was taken to Mostar. I know nothing about him..."

Witness 715/95-15, 67 years old, testifies:

"... On 13 September 1995, I set out from Srbobran towards Jajce and Banjaluka with the Serbian population. Near the gas station, I, my wife and sister managed to board a bus for Jajce. When we reached the village of Bravnice, fierce fire was opened from all sides at the bus and the column moving in front of and behind it. The bus immediately stopped. The bus was showered by bullets. Many

passengers in the bus were immediately killed. I was among those who got out of the bus as soon as it stopped.

My sister remained in the bus

10. Milja Acimovic, born at Barbarici, near Bugojno, in 1924

When I got out of the bus, it exploded and was set ablaze.

We tried to pull out people from the bus. My hair was burnt while I was trying to pull out my sister since she was still alive, but I did not succeed. I do not know how many people remained in the bus, but I know that they were burned in it.

I know that several children and members of the Jankovic family were killed then since they remained in the bus.

The shooting continued when we got out of the bus..."

Witness 715/95-16, 60 years old, housewife, testifies:

"... On 13 September 1995, I set out by bus from Srbobran to Jajce. A very long column of tractors, carts and those who walked with cattle was moving in that direction.

Our bus reached a village 3 km from Jajce. Fire was opened at the bus. I and several other passengers managed to get out of the bus which was afterwards hit by a shell and set ablaze. Many passengers remained in the bus and they were burned.

My son-in-law

11. Zeljko Mihajlo from the village of Blagaj, near Vakuf

was in the column, in a cart, near the bus, with his wife, i.e. my daughter

12. Jovanka Mihajlo

and their three children. My daughter and son-in-law were killed and one of their sons was wounded in the attack. I took with me their other two children, while little Jovan was taken by the Croatian army and I suppose that he is in a hospital.

They took me and the children to Livno where we were exchanged..."

Witness 715/95-17, 62 years old, pensioner, testifies:

"... Many inhabitants of Srbobran waited the bus which I and my wife also boarded. It started and was overtaking many tractors with trailers, carts and those who walked...

There were many wounded and injured in the bus. I was sitting on the left side at the level of the back wheel and managed to jump through the window. I helped my wife, who was wounded, to get out. When we got out of the bus, it began to burn so that no one could enter it any longer. All killed and wounded remained in the bus and their bodies were burnt. I do not know how many persons remained in the bus.

I know that its driver Zdravko Bandulaja remained in it, he was from the village of Salici, aged between 40 and 45. His body remained in the bus because he was among the first shot..."

Witness 818/95-21 says:

"... On 13 September 1995, I and my old mother boarded the bus in Srbobran for Jajce. The bus was full of passengers - the old, women and children.

While we were approaching the village of Bravnice, shots were heard in the direction of the column we were in. Cries were heard in the bus, for there were many wounded and killed. When the bus stopped, we began to run when Croatian soldiers appeared and captured us.

Later on, I found out that 22 people were killed and 15 wounded in the bus.

Killed were:

13. Stojan Kaurin from Srbobran, about 70
14. his daughter-in-law and
15. his grandchild, and
16-21. six members of the Jankovic family

While approaching the place where the bus stopped, I noticed many overturned carts on the road and killed people beside them. I could not say how many killed. Very precise and close-range fire was opened at us ..."

Witness 818/95-23 says:

"... We were heading to Jajce in a cart. Near the village of Bravnice, fierce fire was opened at the column. My daughter and son in the cart in front of ours were wounded. My daughter was hit in the head and my son in the right hip and leg.

My neighbours's children, aged between 13 and 17, told me that their parents Zeljko and Jovanka Mihajlo remained on the road in blood..."

Witness 818/95-12 testifies:

"... On 13 September 1995, I was heading for Jajce with my three children in a cart. We were moving in a column and there were many carts, tractors with trailers, passenger and freight cars behind and in front of us.

Near the village of Bravnice, fire was opened at us and many people were killed and wounded. I was wounded in the feet and my younger son, born in 1979, in the stomach, chest and head..."

Witness 818/95-2 was also in the column which was travelling from Srbobran to Jajce on 13 September 1995. She testifies:

"... I and my old grandmother boarded the bus and sat on the back seat. It was a big bus. All seats were occupied and passengers were standing between them. There must have been about 80 passengers.

When we approached the village of Bravnice, fierce fire was opened at the bus and the carts moving in the column beside the bus. Shells broke the windows of the bus and cries were heard, since there were many killed and wounded. Immediately after that, the bus stopped and we began to get out of it.

While I was in the bus I felt a strong pain in the right leg, chest and head. I crept out from the bus. I saw that my grandmother's right lower leg was almost cut, it hang on a small part of skin. Then Croatian soldiers arrived - they had green strips around their heads and their faces were painted with some yellow-greenish colour.

While I was in the bus before it stopped, I saw that the fire was also opened at the column of vehicles moving in front of and behind the bus and that killed people fell from them, including children. In front of the bus, I saw the body of Marinko Zeljko, a young man and his sister Marijana.

I know that the following were killed in the bus

22-23. two children and

24. one woman

I saw a mother who pulled out her child, but I do not know whether the child was alive. The persons killed were

25. the mother of Svetlana Gudalo from Turbet

26. one mother

who left behind two children of 4 and 7 years of age.

Later on, I found out that the 2nd guard brigade of the Croatian army participated in the attack on the bus..."

The responsibility for the killing of the Serbian civilian population is borne by:

1. Members of the 2nd guard brigade of the Croatian army.

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 6 August 1995 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to enclose a copy of my letter sent, upon instruction of my Government, to international humanitarian organizations, concerning Croatia's aggression against the Republic of Serb Krajina, a United Nations Protected Area, and to ask you to kindly have it circulated to all the members of your Commission.

Would you please take all the measures within your competencies, conducive to stopping Croatia's aggression and preventing humanitarian disaster of unprecedented consequences, as well as to protecting basic human rights and freedoms of the Krajina Serbs.

(Signed): Dr. Vladimir Pavicevic
Ambassador

Letter dated 6 August 1995 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Refugees

Upon direct instruction of my Government, I am addressing you concerning the latest armed aggression perpetrated by Croatia against the Serb people in the Republic of Serb Krajina, which, by its magnitude and arrogance, surpasses all the acts of aggression Croatia has carried out so far. Massive artillery and rocket shelling of all the cities in the Republic of Serb Krajina is proof that one of the main objectives of the aggression has been to inflict substantial casualties among civilians and to expel them from the region where they have lived for centuries.

This is the seventh aggression perpetrated by Croatia against the United Nations Protected Areas (UNPAs) that remains unheeded, thus being conducive to widening of the conflict to unpredictable developments, in its region and beyond it.

Devastation unheard of is under way, coupled with murdering of civilians (women, children and the elderly), along with violations of the international humanitarian law basic principles. The ethnic cleansing of unprecedented magnitude, which has given rise to the fleeing of over 100,000 Serb refugees, is a continuation of the conspicuously genocidal policy pursued towards the Serb people and, in a most drastic manner, it renders justification to the fear shared by the Serb people ever since the Tudjman regime has taken over. The Tudjman regime, like the obnoxious ustashi and fascist regime of A. Pavelic in the past, is having the same objective: extermination and persecution of the Serb people from their centuries-old homesteads, from the territory of Krajina.

Even prior to the latest aggression, some 350,000 people had fled from the territory under Tudjman's control, with those who have tried to remain in their homesteads being harassed in every conceivable way, with their forcible conversion to Catholicism, along with discrimination maintained in all spheres and activities of life (eviction from their homes, dismissal from their jobs, seizure of their possessions), with their fundamental human and civil rights being trampled on to the extreme. During the Croatian aggression against UNPA-West, in May 1995, all the Serb population there were either murdered, wounded or evicted.

Such Croatian war and power politics is the most substantial threat to peace and stability in the Balkans.

Regrettably, everything points to the fact that aggression against the Republic of Serb Krajina is not an act Croatia is perpetrating on its own, but rather, that Croatia enjoys support by its powerful protectors, within their strategy pursued ever since the very beginning of the Yugoslav crisis, directed first of all against the Serb people and the Federal Republic of Yugoslavia.

All this clearly points to a thorough and extensively prepared act of aggression, implying also total cleansing of the Serb-inhabited territories.

The Croat aggression against Krajina is reasserting the practices pursued by certain quarters aimed to increase tensions, toward escalation of military conflicts in Bosnia and Krajina, whenever any palpable prospects for achieving concrete progress for a political settlement are looming. Thus, so far, it was the case when the plans concerning the crisis in the former Bosnia-Herzegovina were undermined, or when progress was being made in trilateral negotiations between Knin and Zagreb, while the same is under way at present, with progress in negotiations between the Federal Republic of Yugoslavia and the Contact Group being obstructed.

What we are witnessing at present is no action for regaining lost Croatian territories, but a thought-out act of aggression against ethnically clean Serb territories, with the aim of annexing these territories to Croatia, without a single Serb remaining there. The present armed aggression, perpetrated at the time Geneva negotiations with the Serb party were conducted, with the Serbs expressing their readiness to negotiate a political solution based on the Z-4 Plan, demonstrates that the so-called reintegration of Krajina implies forceful annexation of the territory of Krajina, but without its population.

We must note with distress that the international community is turning a deaf ear, that it fails to take any measures to make it impossible for Croatia to pursue its hideous policy towards the Serbs, with special responsibility to be borne, though, by the Security Council, which has the responsibility for maintaining peace, security and protection of victims of aggression, subject to Chapter VII of the Charter of the United Nations, as has been asserted by the Security Council itself in its statements, when underscoring that such actions of Croatia are a threat to international peace and security.

The Security Council must take concrete steps and resolute measures against such criminal and genocidal acts of Croatia. Since the very beginning of the crisis in the territory of the former Yugoslavia, the Security Council has spearheaded its activities and decisions against the Federal Republic of Yugoslavia by imposing upon it, without any justification, sanctions hitherto unrecorded in United Nations history, in terms of their magnitude and weight.

What are the criteria employed at present concerning the open Croatian aggression and its flagrant violation of international humanitarian law? The Security Council is also tolerating the arbitrary involvement of NATO forces on the side of the aggressor, by its shelling of Serb positions (the radar installations).

The United Nations, which guaranteed physical safety and peace to the population of Krajina in 1991 under the Vance Plan, has the greatest responsibility to decisively oppose Croatia and in deterring it from its further aggressive actions.

We see a way out from the present situation in a determined Security Council and the entire international community's condemning Croatia's aggression, its war crimes and ethnic cleansing, and also in a vehement international political action aimed at resuming the negotiation process for

achieving balanced and equitable political solutions, as well as in the withdrawal of the Croatian forces from the United Nations-protected Krajina territories.

Yet, the Federal Republic of Yugoslavia is of a view that the crisis in the war-ridden territories of the former Yugoslavia can be overcome with success and be of a lasting character if handled in a peaceful way and with political means alone.

In view of the disastrous situation experienced by tens of thousands of innocent civilians, the Federal Republic of Yugoslavia is expecting most urgent and adequate relief from all international organizations, aimed at preventing a humanitarian disaster of unprecedented magnitude.

In a situation when, due to sudden aggression and deliberate shelling of the civilian population in the major cities and villages, their inhabitants were forced to flee their homesteads without any chance to take any of their basic belongings, it is of paramount importance to take most immediate and efficient action when it comes to their care at the locations where they are at present. The population in jeopardy lacks everything - shelter, food, clothing and medicaments, all the way to meeting their basic hygiene requirements, etc.

In particular, we wish to stress that, in view of the economic hardships the Federal Republic of Yugoslavia has been facing and the large numbers of refugees it already shelters, the Government and the citizens of the Federal Republic of Yugoslavia, in spite of their enormous efforts, will not be in a position to help in this humanitarian disaster unless adequate international humanitarian relief is there.

(Signed): Dr. Vladimir Pavicevic
Ambassador

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 15 June 1995 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to transmit herewith a copy of the letter H.E. Mr. Vladislav Jovanovic, Minister for Foreign Affairs of the Government of the Federal Republic of Yugoslavia, has addressed for the United Nations Secretary-General, concerning ethnic cleansing and genocide committed upon the Serbian population during the recent aggression of the Croatian Army against UNPA Sector West (Western Slavonia). Would you kindly submit it to the members of the Commission.

In this connection, please also find enclosed my letter to Mr. Jose Ayala Lasso, the United Nations High Commissioner for Human Rights, of 5 May 1995.

(Signed): Dr. Vladimir Pavicevic
Ambassador

Letter dated June 1995 from the Minister for Foreign Affairs of Yugoslavia addressed to the Secretary-General of the United Nations

I am writing to draw your attention to the very difficult situation, with tragic consequences for the Serbian civilian population, in UNPA Sector West (Western Slavonia) brought about by the aggression of Croatia against this region, and to point to serious political implications which this act of aggression may have for the future peace process and the role of the United Nations.

By their action against, and the occupation of, the entire territory of UNPA Sector West (Western Slavonia), the armed forces of Croatia, in conjunction with special police units and armed paramilitary groups, violated flagrantly all relevant resolutions and other documents of the United Nations Security Council requesting the parties in conflict to refrain from the use of force and to seek a lasting and just solution to the relations between peoples and newly created States in the territory of the former Yugoslavia by political means. This military action of Croatia constitutes a gross violation of the cease-fire agreement of 29 March 1994. It was done in direct contravention of, and disregard for, all the efforts the international community has made on the basis of the mandate or under the auspices of the United Nations Security Council to maintain peace and commence a negotiating process, aimed at finding an agreed political solution. Not only has Croatia's aggression seriously threatened the security of the United Nations peace force in UNPA Sector West, but has also rendered difficult, even almost impossible, their further peace mission in the newly created conditions.

The principal goal of the armed action of Croatia was to annihilate the Serbian civilian population, terrorize it and complete the ethnic cleansing in Western Slavonia that Croatia began in 1991. The Serbian civilian population was the target of ruthless shelling by Croatian artillery, armour and air force, which cannot be justified by any military reasons. By these acts, Croatia trampled upon each and every provision of the Convention on the Prevention and Punishment of the Crime of Genocide and the Geneva Conventions.

Abundant evidence of these atrocities has been provided by refugee statements given to representatives of humanitarian organizations, press and official authorities of the Federal Republic of Yugoslavia, as well as by numerous eyewitness accounts, reports of church dignitaries and prominent public figures who found themselves in the region at the time of the aggression or visited it immediately after the cessation of armed activities. Among the witnesses are also the representatives of the United Nations, EU and ICRC Missions.

There is evidence that, on 1 and 2 May 1995, the Croatian armed forces committed atrocities by massacring the columns of civilian refugees near Nova Varos and on the road near Okucani, as well as by brutally killing civilians and destroying and looting their property in the villages of Pankovac, Medari, Smrtic, Vrbovljani, Covac, Gredjani and Donji Bogicevci. Similar atrocities were committed in other places where foreign observers were not present.

The statements of your special representative Yasushi Akashi and the initial statements of human rights Special Rapporteur Tadeusz Mazowiecki confirm that mass atrocities against the Serbian civilians were committed in Western Slavonia. Mr. Akashi confirmed the existence of reports on the violation of elementary human rights and brutality against Serbs in Western Slavonia. After his visit to Western Slavonia, Mr. Mazowiecki said that atrocities had been committed, that human rights had been violated, but that information could be only partially verified and that civilians had been murdered which could not be justified by military reasons.

By issuing contradictory statements, Croatian officials in fact refused to reveal the exact number of killed and missing persons. The organizations of Serbs in Croatia are very worried over the fate of between 380 and 1,000 civilians and prisoners who are known to have been captured and taken to an unknown destination. The fate of between 1,000 and 1,200 wounded is also unknown. Humanitarian reasons make it incumbent upon the United Nations and the ICRC to press the Croatian authorities to clarify the fate of these persons.

Despite an almost total information blockade and the restriction of the movement of representatives of international organizations by the Croatian side under various pretexts, foreign media have managed to inform the world public about some of the atrocities and the systematic drive of the Croatian military and civilian authorities to erase the traces of these atrocities by burning the dead, burying them in unmarked mass graves or by washing the streets and roads to remove the evidence. Extensive reports accusing the Croatian side of attempts to cover up the crimes were carried among others by Reuters, AP, The New York Times, CBS and the BBC.

Excellency,

I feel duty-bound to draw your attention to the fact that it is of vital importance for the continuation of the peace mission in this region that the United Nations guarantees the remaining Serbian population the minimum personal safety and respect for their human rights. Since the local population has no confidence in Croatian authorities, it is necessary that UNPA Sector West (Western Slavonia) remains under the protection of the United Nations and that Croatian armed forces withdraw from the occupied areas.

A precondition for resuming the political process of solving the crisis peacefully is also the return of confidence in the United Nations protection mechanism. Disquieting reports about new aggressive actions of the Croatian forces in UNPA Sector South and the attacks against the unprotected villages of Cetina, Vrlika, Crni Lug, Beulje and others, whose population have fled their homes, are a very bad omen of the developments that may ensue in the region and beyond, if a tacit nod of approval is given to aggression.

The first step on the road of rebuilding the confidence would be an effective and thorough United Nations investigation of the atrocities committed against the Serbian civilian population and other categories of persons protected in armed conflicts, members of the Army of the Republic of Serbian Krajina taken prisoner, wounded or sick.

If the atrocities and the responsibility of those who committed and ordered them are not established quickly, it is not to be expected that peace that we all need so much and a serious negotiating process will be re-established soon and that between 12,000 and 17,000 Serbian refugees, who fled Croatian terror and intimidation, will ever return to rejoin their compatriots of a mere 1,200 who still remain in Western Slavonia.

Excellency,

Of particular concern are the attempts to diminish or cover up the atrocities committed against the population of Western Slavonia. In that context, particularly worrisome is the departure of Special Rapporteur Mazowiecki from his initial statements and the allegations of mass atrocities. By retracting his own reports, the Special Rapporteur has displayed a lack of genuine interest in establishing the true facts and the size of atrocities committed against the Serbian civilian population. Nevertheless, the statements and ground reports of the Special Rapporteur provide compelling evidence to the United Nations General Assembly and Commission on Human Rights of the brutality and mass violations of human rights committed by Croatian authorities against the Serbian civilian population during the aggression against UNPA Sector West, which have been confirmed also by other sources, such as United Nations, UNHCR, ICRC and other representatives in the field.

There is no doubt that the passivity of the international community and its failure to prevent the aggression and eliminate its consequences are a cause of great disappointment and loss of confidence of the remaining Serbian population in Western Slavonia and many refugees in the protection and peace mission of the United Nations. The failure to establish the responsibility for, and to punish the perpetrators of, the recent atrocities can only serve to invest the policy of genocide against the Serbian people with a cloak of legality in a region, overshadowed by the memories of the notorious World War Two Jasenovac concentration camp where hundreds of thousands of Serbs, Jews and Romanies were exterminated by the Nazi creation and ally, the Independent State of Croatia.

(Signed): Vladislav Jovanović
Federal Minister
for Foreign Affairs

Letter dated 5 May 1995 from the Ambassador of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the High Commissioner for Human Rights

Upon instruction of my Government, I am addressing you concerning the developments in Western Slavonia, a territory which is under United Nations protection, settled mostly by the Serbian population, where the Croatian Army has committed aggression, grossly violating all the relevant United Nations Security Council decisions, bilateral and multilateral agreements and, what is most dramatic, the fundamental norms of international humanitarian law.

The consequences of this criminal act are already being reflected in hundreds of killed and thousands of wounded or expelled innocent civilians. The columns of refugees, as well as the Serbian settlements, have been shelled by air and artillery forces and, according to the data which are not final yet, over 500 persons have been killed.

By its continuing terror and massacre of the civilian population, Croatia has violated the agreement it had signed on 4 May 1995, on the cessation of military operations and the evacuation of civilian Serbs. It has embarked upon new actions of retaliation against the civilians who are being detained, with women and children being separated from their husbands and fathers who are then taken to unknown destinations. There is no reliable information on their respective fate.

The sufferings of the Serbian population, brought about by the Croatian authorities, are evident this time, evolving before the eyes of the entire international community, the United Nations, as well as many international humanitarian organizations. All the official reports issued so far testify to gross violations of the human rights of the Serbian population, to arbitrary massive murders, terror and looting, aimed at expelling the Serbs from their homesteads, where their ancestors have lived for centuries, and at setting up of an ethnically pure Croatia.

Ethnic cleansing of the area of Western Slavonia, where the Serbs have been the majority population since time immemorial, started in 1991, when the same Croatian authorities evicted the Serbs and entirely ethnically cleansed 10 towns and 183 settlements in the north of Western Slavonia, while expelling almost all the population from 87 villages in the area.

On that occasion, unheard-of crimes against civilians were committed, with over 14,000 of them being murdered and thrown into 89 mass graves.

His Excellency
Jose Ayala LASSO
United Nations High Commissioner
for Human Rights
Geneva

The present aggression of Croatia against the Republic of Serbian Krajina and the crimes of genocide against the civilian population, aimed at setting up an ethnically pure State, are a continuation of the policy Croatia started earlier in this century, whose epitome was the creation of the Nazi Independent State of Croatia during the Second World War, and the genocide committed against over 1 million Serbs.

The data on the crimes committed by the Croatian Nazis in the Second World War have been proven and widely known, and I do not deem it indispensable to point to them on this occasion, too.

In view of the present, extremely dramatic situation, the sufferings of innocent civilians and the immediate threat of their being murdered, as well as the danger that this latest Croatian aggression put in jeopardy all the efforts towards peace which have been under way, I am addressing you, Mr. Lasso, with a request that, within your competencies, you undertake the indispensable measures conducive to the cessation of massive human rights violations, as well as the violation of international humanitarian law in the territory of Western Slavonia.

In this connection, we are of the view that the presence of international organizations' representatives in charge of the protection of human rights could contribute to overcoming the present situation and to halting the perpetration of crimes.

I am confident that your personal presence on the spot or the presence of your envoy would influence the Croatian authorities to cease committing this genocide against the Serbian population and to observe its earlier undertaken international commitments.

(Signed): Dr. Vladimir PAVIĆEVIĆ
Ambassador